UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,186	10/29/2001	Damon John Ennis	402	4116

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BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER
PHAM, KHANH B

ART UNIT	PAPER NUMBER
2177	2

DATE MAILED: 05/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Office Action Summary	Application No.	Applicant(s)
	10/003,186	ENNIS ET AL.
	Examiner	Art Unit
	Khanh B. Pham	2177

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>29 October 2001</u>.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-60</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-60</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>29 October 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   **Claims 1-60 are rejected under 35 U.S.C. 102(e)** as being anticipated by Novik

et al. (US 6,275,957 B1), hereinafter "Novik".

As per claims 1, 17, 33, Novik teaches a method, an apparatus and computer

readable medium for facilitating publish/subscribe communication, comprising:

- "receiving a subscription request to receive publications made to one or more

   event names" at Col. 3 lines 34-42;

- "said subscription request comprising an event expression which may be

   resolved to match a plurality of different event names" at Col. 11 lines 35-48;

- "accessing a set of information pertaining to a publisher, said information

   comprising a particular event name to which said publisher publishes" at Col. 11

   lines 45-60;

- "and resolving said event expression to determine whether said particular event name constitutes a match for said event expression, thereby determining whether said subscription request is a request to receive one or more publications made to said particular event name" at Col. 11 lines 49-60.

As per claims 2, 18, 34, Novik teaches the method, apparatus and computer readable medium of claims 1, 17, 33 as discussed above, wherein "said event expression comprises one or more wildcard indicators" at Col. 11 lines 60-65.

As per claims 3, 19, 35, Novik teaches the method, apparatus and computer readable medium of claims 2, 18, 34 as discussed above, wherein "resolving said event expression comprises: performing pattern matching between said event expression and said particular event name" at Col. 12 lines 15-40.

As per claims 4, 20, 36, Novik teaches the method, apparatus and computer readable medium of claims 1, 17, 33 as discussed above, wherein "said event expression comprises a hierarchical namespace" at Col. 12 lines 15-40 and Fig. 4.

As per claims 5, 21, 37, Novik teaches the method, an apparatus and computer readable medium of claims 4, 20, 36 as discussed above, wherein "said hierarchical namespace comprises one or more wildcard indicators in one or more hierarchical levels of said hierarchical namespace" at Col. 10 lines 44-60 and Fig. 4.

As per claims 6, 22, 38, Novik teaches the method, apparatus and computer readable medium of claims 1, 17, 33 as discussed above, wherein:

- "said subscription request comprises a set of information pertaining to a subscriber" at Col. 11 lines 35-45;

- "and wherein said method further comprises: in response to a determination that said particular event name constitutes a match for said event expression, providing said set of information pertaining to said subscriber to a communication coordinator associated with said publisher" at Col. 11 lines 45-60.

As per claims 7, 23, 39, Novik teaches the method, apparatus and computer readable medium of claims 6, 22, 38 as discussed above, further comprising:

- "accessing a set of information pertaining to a second publisher, said set of information pertaining to said second publisher comprising a second particular event name to which said second publisher publishes" at Col. 13 lines 15-21;

- "resolving said event expression to determine whether said second particular event name constitutes a match for said event expression, thereby determining whether said subscription request is a request to receive one or more publications made to said second particular event name" at Col. 13 lines 22-28;

- "and in response to a determination that said second particular event name constitutes a match for said event expression, providing said set of information pertaining to said subscriber to a second communication coordinator associated with said second publisher" at Col. 13 lines 22-28.

As per claims 8, 24, 40, Novik teaches the method, apparatus and computer readable medium of claims 7, 23, 39 as discussed above, wherein "said first particular event name and said second particular event name are different event names" at Col. 11 lines 60-65 and Col. 13 lines 15-22.

As per claims 9, 25, 41, Novik teaches a method, an apparatus and computer readable medium for facilitating publish/subscribe communication, comprising:

- "receiving a publication announcement indicating a desire to publish to a particular event name" at Col. 9 lines 60-63;

- "accessing a set of information pertaining to a subscriber, said information comprising an event expression which may be resolved to match a plurality of different event names" at Col. 9 line 64 to Col. 10 line 3; and

- "resolving said event expression to determine whether said particular event name constitutes a match for said event expression, thereby determining whether said subscriber should receive one or more publications made to said particular event name" at Col. 11 lines 10-25.

As per claims 10, 26, 42, Novik teaches the method, apparatus and computer readable medium of claims 9, 25, 41 as discussed above, wherein "said event expression comprises one or more wildcard indicators" at Col. 11 lines 45-50.

As per claims 11, 27, 43, Novik teaches the method, apparatus and computer readable medium of claims 10, 26, 42 as discussed above, wherein "resolving said event expression comprises: performing pattern matching between said event expression and said particular event name" at Col. 12 lines 15-40.

As per claims 12, 28, 44, Novik teaches the method, apparatus and computer readable medium of claims 9, 25, 41 as discussed above, wherein "said event expression comprises a hierarchical namespace" at Col. 19 lines 25-61 and Fig. 4.

As per claims 13, 29, 45, Novik teaches the method, apparatus and computer readable medium of claims 12, 28, 44 as discussed above, wherein "said hierarchical namespace comprises one or more wildcard indicators in one or more hierarchical levels of said hierarchical namespace" at Col. 19 lines 60-67.

As per claims 14, 30, 46, Novik teaches the method, apparatus and computer readable medium of claims 9, 25, 41 as discussed above, further comprising: "in response to a determination that said particular event name constitutes a match for said event expression, providing said set of information pertaining to said subscriber to a sender of said publication announcement" at Col. 12 lines 6-30.

As per claims 15, 31, 47, Novik teaches the method, apparatus and computer readable medium of claims 14, 30, 46 as discussed above, further comprising:

- "receiving a second publication announcement indicating a desire to publish to a second particular event name" at Col. 12 lines 22-24;

- "accessing said set of information pertaining to said subscriber; resolving said event expression to determine whether said second particular event name constitutes a match for said event expression, thereby determining whether said subscriber should receive one or more publications made to said second particular event name" at Col. 12 lines 25-30;

- "and in response to a determination that said second particular event name constitutes a match for said event expression, providing said set of information pertaining to said subscriber to a sender of said second publication announcement" at Col. 12 lines 6-30.

As per claims 16, 32, 48, Novik teaches the method, apparatus and computer readable medium of claims 15, 31, 47 as discussed above, wherein "said first particular event name and said second particular event name are different event names" at Col. 12 lines 15-25.

As per claims 49, 53, 57, Novik teaches a method, an apparatus, and computer readable medium for subscribing to receive one or more publications made to one or more event names, comprising:

- "generating a subscription request, said request comprising an event expression which may be resolved to match a plurality of different event names" at Col. 11 lines 10-25; and

- "sending said subscription request to a subscription management mechanism" at Col. 11 lines 35-50.

As per claims 50, 54, 58, Novik teaches the method, apparatus, computer readable medium of claims 49, 53, 57 as discussed above, wherein "said event expression comprises one or more wildcard indicators" at Col. 11 lines 45-50.

As per claims 51, 55, 59, Novik teaches the method, apparatus, computer readable medium of claims 49, 53, 57, wherein "said event expression comprises a hierarchical namespace" at Fig. 4.

As per claims 52, 56, 60, Novik teaches the method, apparatus, computer readable medium of claims 51, 55, 59, wherein "said hierarchical namespace comprises one or more wildcard indicators in one or more hierarchical levels of said hierarchical namespace" at Col. 11 lines 60-65 and Fig. 4.

Conclusion

3.   The prior art made of record, listed on form PTO-892, and not relied upon, if any,

is considered pertinent to applicant's disclosure.

If a reference indicated as being mailed on PTO-FORM 892 has not been

enclosed in this action, please contact Lisa Craney whose telephone number is **(703)**

305-9601 for faster service.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Khanh B. Pham whose telephone number is (703) 308-

7299. The examiner can normally be reached on Monday through Friday 7:30am to

4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John E Breene can be reached on (703) 305-9790. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Khanh B. Pham
Examiner
Art Unit 2177

KBP
April 26, 2004

SRIRAMA CHANNAVAJJALA
PRIMARY EXAMINER